

STATE OF VERMONT
PUBLIC SERVICE BOARD

CPG #NM-6521

Application of Integrated Solar Applications)
Corporation for a certificate of public good for an)
interconnected group net-metered photovoltaic)
electric power system in Athens, Vermont)

Entered: 10/2/2015

CERTIFICATE OF PUBLIC GOOD ISSUED
PURSUANT TO 30 V.S.A. SECTIONS 248 & 219a

IT IS HEREBY CERTIFIED that the Public Service Board ("Board") of the State of Vermont this day found and adjudged that the photovoltaic group net metering system proposed for construction and operation by Integrated Solar Applications Corporation ("ISA") at 210 Reed Road in Athens, Vermont (the "Project"), will promote the general good of the State, subject to the following conditions:

1. Operation and maintenance of the Project shall be in accordance with the plans and evidence submitted in this proceeding. Any material deviation or substantial change in the Project is prohibited without prior Board approval. Failure to obtain advance approval from the Board for a material deviation or substantial change from the approved plans may result in the assessment of a penalty pursuant to 30 V.S.A. §§ 30 and 247.
2. The net metering system shall comply with applicable existing and future statutory requirements and Board Rules and Orders.
3. In the event this Certificate of Public Good ("CPG") is transferred pursuant to Board Rule 5.110(D)(1), the new owner of the system must file the required certificate transfer form with the Board prior to commencing operation of the system.
4. Pursuant to 30 V.S.A. § 219a(d)(3), the installation of the net metering system must be completed within one year of the date of this CPG unless otherwise ordered by the Board.
5. The Applicant shall reimburse the Town of Athens for the cost of repairs to Reed Road and associated infrastructure, including drainage, etc.
6. Prior to any site preparation or construction activities, ISA shall conduct a Rare, Threatened, and Endangered ("RTE") Plant Inventory with a qualified consultant during the growing season between June 15 and September 30. A survey for the endangered northeastern bulrush (*Scirpus ancistrochaetus*) shall be conducted specifically between August 20 and September 30 in any forested vernal pools or other wetlands, should any occur on the site.

The Inventory report shall be submitted to the Agency of Natural Resources for review, field verification if necessary, and comment prior to any site preparation or construction activities. If any RTE species are detected, the Project shall avoid impacts on the species or must be redesigned to avoid impacts.

7. Prior to any site preparation or construction activities, ISA shall perform wetland, vernal pool, and stream delineations with a qualified consultant. The delineation report shall be submitted to ANR's Wetlands Program for review, field verification if necessary, and comment.

8. ISA shall avoid impacts to Class II wetlands and 50-foot wetland buffer zones or obtain and comply with the provisions of a State Wetland Permit. Any activity within wetlands or wetland buffers that is not an allowed use designated in Section 6 of the Vermont Wetland Rules¹ shall require a State Wetland Permit.

9. In the absence of a State Wetland Permit, all Class II wetland buffer zones shall remain undisturbed. The term "undisturbed" means the absence of activities that may cause or contribute to ground or vegetation disturbance, or soil compaction, including but not limited to: construction; earth-moving activities; storage of materials; tree trimming or canopy removal; tree, shrub, or groundcover removal; plowing or disposal of snow; and mowing.

10. ISA shall avoid impacts to vernal pool depressions and 100-foot vernal pool envelopes.² These areas shall remain undisturbed, as defined above.

11. For any perennial or intermittent streams near the Project site, a 50-foot strip along the stream shall remain as an undisturbed, naturally vegetated riparian buffer zone. The buffer zone boundary shall be measured in the field on both sides of the stream perpendicular from the top-of-bank/slope. The term "undisturbed" means the absence of activities that may cause or contribute to ground or vegetation disturbance or soil compaction, including but not limited to: construction; driving upon; earth-moving activities; storage of materials; tree trimming or canopy removal; tree, shrub, or groundcover removal; plowing or disposal of snow; grazing; and mowing. The Project site plans shall be updated to show the delineated riparian buffer zone boundaries.

12. The Project site plans shall be updated to show the delineated wetlands, wetland buffer zones, stream buffer zones, vernal pool envelopes, and populations of RTE plants.

1. Vermont Wetland Rules, August 2010,
http://www.watershedmanagement.vt.gov/rulemaking/docs/wrprules/wsmd_VWR%207-16-10.pdf

2. Necessary habitat for vernal pool breeding amphibians is comprised of three zones – the Pool Depression, the Pool Envelope, and the Amphibian Life Zone. The Pool Depression includes the entire vernal pool up to the spring high-water mark. The Pool Envelope includes the 100-foot zone surrounding the Pool Depression, measured from the high-water mark.

13. If the Project is within 100 feet of any riparian or wetland buffer zone, vernal pool envelope, or population of RTE plants, then prior to site preparation, construction, maintenance that involves earth disturbance, or decommissioning, ISA shall install a continuous line of flagging tape along those boundaries and signage to identify the buffer zones as a protected area.

14. ISA shall comply with the Vermont Department of Environmental Conservation's *Low Risk Site Handbook for Erosion Prevention and Sediment Control (2006)*.

Dated at Montpelier, Vermont, this 2nd day of October, 2015.

<u>s/James Volz</u>)	
)	PUBLIC SERVICE
)	
<u>s/Margaret Cheney</u>)	BOARD
)	
)	OF VERMONT
<u>s/Sarah Hofmann</u>)	

OFFICE OF THE CLERK

Filed: October 2, 2015

Attest: s/Susan M. Hudson
Clerk of the Board

NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@vermont.gov)